

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

GREAT AMERICAN INSURANCE)
COMPANY,)
)
Plaintiff,) CIVIL ACTION NO. 1:05cv1213-CSC
)
)
v.)
)
TOWN OF COTTONWOOD,)
)
)
Defendant.)

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, a meeting of the parties was held via teleconference on September 7, 2006. The following participated in this conference:

- (a) W. Drake Blackmon, attorney for Great American Insurance Company;
- (b) Gary C. Sherrer, attorney for Town of Cottonwood.

2. Pre-Discovery Disclosures. The Parties will exchange by October 31, 2006, the information required by Fed. R. Civ. P. 26(a)(1).

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

- (a) Discovery will be sought on the subjects of all substantive claims and the defenses of the parties;
- (b) All discovery will be commenced in time to be completed by July 2, 2007.
- (c) Maximum of ten (10) depositions by each party;

Pursuant to *Federal Rule of Civil Procedure* 30(d)(2), a deposition is limited to one day of seven hours unless otherwise authorized by the court or stipulated to by the parties.

- (d) Maximum of twenty-five (25) interrogatories by each party to any other party; Responses due thirty (30) days after service. Maximum of twenty-five (25) requests for production of documents by each party to any other party; Responses due thirty (30) days after service. Maximum of twenty-five (25) requests for admission by each party to any other party; Responses due thirty (30) days after service.
 - (e) Reports from retained experts under Rule 26(a)(2) due:
 - (i) From the plaintiff by May 1, 2007;
 - (ii) From the defendant by June 1, 2007.
 - (f) Supplementation under Rule 26(e) as provided by the Rule.
4. Dispositive Motions. All potentially dispositive motions must be filed by May 28, 2007.
5. Other Items.
- (a) The parties do not request a conference with the court before entry of the scheduling order.
 - (b) The parties should be allowed until May 1, 2007, to join additional parties and until May 1, 2007, to amend the pleadings.
 - (c) The parties request a final pretrial conference during the last week of August 2007.
 - (d) Final lists of trial evidence under Rule 26(a)(3) and objections to said evidence under Rule 26(a)(3) shall be due in accordance with the pre-trial Order to be entered in this matter.
 - (e) The parties have attempted to settle this matter and have failed. Settlement cannot be re-evaluated until discovery is completed.
 - (f) The case should be ready for trial by the October 1, 2007 trial term.

Respectfully submitted,

s/L. Graves Stiff, III.

L. Graves Stiff, III.

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